

**FILED**

NOV 26 2007

**RICHARD W. WIEKING**  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

1 DAVID NICKERSON  
Attorney at Law  
2 California Bar # 111885  
454 Las Gallinas Ave., Suite 183  
3 San Rafael, CA. 95903  
Telephone: (415) 507-9097  
4 Fax: (415) 507-9098

5 Attorney for Plaintiff  
6 STEVEN WAYNE BONILLA

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8  
9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
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13 STEVEN W. BONILLA, ) No. C-02-000636-MHP  
14 Plaintiff, )  
15 vs. ) **STIPULATION TO DISMISS**  
16 UNITED STATES OF AMERICA, et. al. )  
17 Defendants. )  
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19  
20 Pursuant to Rule 41(a)(1) of the *Federal Rules of Civil Procedure*, the parties to the  
21 above captioned case, which plead a claim under the Freedom of Information Act, stipulate that  
22 said case shall be dismissed without prejudice. The parties stipulate as follows:  
23


24 1. The Parties: Plaintiff, Steven W. Bonilla, is an inmate at San Quentin State  
25 Prison and is currently housed on death row. Plaintiff was represented by counsel, David  
26 Nickerson, who appeared on a pro. bono basis. The United States is represented by Abraham  
27 Simmons of the United States Attorney's Office.  
28

**ORIGINAL**

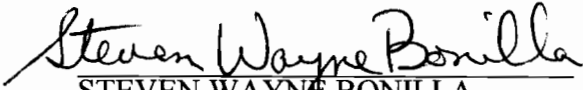
1           2.       The Action: Plaintiff originally filed this action as an appeal of the denial of his  
2 request under the Freedom of Information Act, 5 U.S.C. section 522. In his second amended  
3 complaint he added a civil rights action under 42 U.S.C. section 1985.

4           3.       On April 26, 2007, June 6, 2007, and September 14, 2007, the Court issued orders  
5 directing the United States to disclose to Plaintiff a number of documents relating to a federal  
6 grand jury subpoena reportedly dated February 19, 1988. On or about September 28, 2007 and  
7 October 9, 2007, the United States produced a number of documents in response to the Court's  
8 orders. The parties agree that the United States has fully complied with the Court's orders.


9           4.       Therefore, the parties agree to dismiss this action pursuant Rule 41(a)(1) of the  
10 *Federal Rules of Civil Procedure* and request that the Court issue an Order dismissing the action.

11 ~~This dismissal is without prejudice.~~ 



12  
13           DATED: November 15, 2007

  
STEVEN WAYNE BONILLA  
Plaintiff

14  
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16  
17           DATED: November 14, 2007

  
DAVID A. NICKERSON  
Attorney for Plaintiff  
STEVEN WAYNE BONILA

18  
19  
20  
21           DATED: November 26, 2007

  
JOANN M. SWANSON  
Attorney for Defendant   
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

STEVEN W. BONILLA,

Plaintiff,

vs.

UNITED STATES OF AMERICA, et. al.

Defendants.

No. C-02-000636-MHP

~~Proposed~~

ORDER DISMISSING CASE

Pursuant to Rule 41(a)(1) of the *Federal Rules of Civil Procedure*, the parties to the above captioned case have stipulated that said case shall be dismissed ~~without prejudice~~.

THEREFORE, based upon that stipulation, this Court order the above captioned case dismissed

~~without prejudice~~. Absent showing of good cause, no further requests for

DATED: November 26, 2007 relief will be entertained in this matter.

MARLEEN HALL PATEL  
United States District Court Judge